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COMPACT ADMINISTRATOR

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ICPC Office Hours: Monday - Friday, 8:00 a.m. to 5:00 p.m., Mountain Time Zone.

FAX: (208) 334-6664

GENERAL INFORMATION

ICPC Code Citation. Idaho Code 16-2101 through 2107.

Statutory Penalties Under Article IV. Violations of licensing requirements is a misdemeanor. (Idaho Code 39-1220). Imprisonment for up to one year and/or a \$500 fine and possible loss of license. Any person who practices social work in Idaho without a license shall be guilty of a misdemeanor (Idaho Code 54-3217).

Age of Majority. 18 years. I.C. 32-101, 16-1625, 18-1514, 16-1802.

Court Jurisdiction. Magistrate Division, District Court, Child Protection Act (I.C. 16-1600), Termination of Parental Rights Act (I.C. 16-2000), Adoption of Children (I.C. 16-1500), Child Care Licensing Act (I.C. 39-1208), Interstate Compact on Juveniles (I.C. 16-1900), Uniform Child Custody Jurisdiction Act (I.C. 32-1101), Divorce and related custody issues (I.C. 32-717).

SPECIAL INFORMATION

Custody Investigations. Divorce Custody studies will be done by Department of Health and Welfare (if staff are available), or private providers for a fee. The Departments fee of \$336 must be paid by the requesting party. Send requests to ICPC Administrator for assignment.

Indian Child Welfare. All incoming cases must contain written documentation that there has been compliance with ICWA, Public Law 95-608.

Sale or Barter of a Child for Adoption. Penalized by a felony (I.C. 18-1511, 12). Imprisonment for up to 14 years and/or a fine of up to \$5,000. Financial assistance may be provided to birth mother. If assistance exceeds \$500, court approval is required. Maximum amount if \$2,000 (I.C. 18-1511). Medical costs for child/mother may be paid without violation of the Act (I.C. 18-1512).

Advertising for Adoption. A prohibited act (I.C. 18-1512A). Punishable as a violation of Consumer Protection Act if not by licensed agency or attorney licensed to practice in Idaho.

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Licensing. Required for any individual agency, organization or institution who plans, arranges, coordinates or is in any way involved with the interstate placement of three or more children in any one calendar year for the purposes of foster care, preadoption, or adoption, shall be required to be licensed as a children's agency or institution. IDAPA (CA 4-1-86).

Use of Guardians. The appointment of prospective adoptive parents as legal guardians of a child who will be, or has come into, or will be; going out of Idaho as an attempt to avoid using the Interstate Compact on the Placement of Children, shall be construed to be a violation of the intent of the Compact and shall be subject to penalty under applicable statutes. IDAPA (CA 4-1-86).

REQUIREMENTS

Reports. Every three months or as otherwise requested.

Licensing: Requirements. All foster homes, group homes and children's agencies and institutions licensed by the Department of Health and Welfare I.C. Section 39-1213.

PLACEMENTS

Independent Adoptive Placements. Lawful. The State Department of Health and Welfare is required to provide an investigative report to the court within 30 days after petition is filed with court. The investigative report shall include reasonably known or available medical and genetic information regarding both natural parents, and sources of such information, as well as reasonably known or available providers of medical care and services to the natural parents. I.C. Section 16-1506. Adoptive applicants must submit to fingerprint and criminal background checks. IDAPA 16.03.2209, 16.03.2228.04, 16.03.20.615.

Adoption Petition. Petitioners must reside and maintained a dwelling within the State of Idaho for at least six months prior to the filing of a petition in District Court in the county where the person resides. I.C. Sec. 16-1506.

Residential Placements. Placements into residential care facilities require prior I.C.P.C. approval. (I.C. 16-2102).

-Placement Requiring Interstate Approval: All placements governed by the Interstate Compact on the Placement of Children require notice and approval by the Administrators located within the Department of Health and Welfare, Division of Family and Community Services. Mental Health Compact matters are processed through the Department's Division of Family and Community Services as well.

-Requirements for Placements: ICPC-100A and complete child social information, financial and medical care plan, court order or evidence of court order or evidence of authority to place, and any other information ICPC Administrator requests.

-Approval of Facilities: The Department of Health and Welfare is responsible for licensure of facilities. Contact the appropriate ICPC office. ICPC (208) 334-5700; ICJ (208) 334-5700, Mental Health (208) 334-5531.

-Rate Setting: Rates are negotiated between the treatment facility and the sending state agency.

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-Monitoring of the Child: Responsibility rests with the sending agency and the residential facility. The ICPC office will assist.

-Philosophy for Placement of Non-Resident Youth: Placements are to be made in approved/licensed facilities appropriate to the needs of the child placed. Legal and financial responsibilities remain with the sending state.

Foster Care Placement Requirements. Licensure is required for all foster homes caring for children under 18 years of age, including relatives, except birth parents. In order to receive foster care payments, the relative's home must be licensed. The Department of Health and Welfare issues foster home licenses. Licensure requires a criminal history check to include the following: (1) Statewide Criminal Identification Bureau, (2) Federal Bureau of Investigation (FBI) criminal history, and (3) National Crime Information Center. IDAPA 3.2209, 2.2299.

PAYMENTS

TANF Payments by Idaho DHW may be provided on behalf of non-resident children placed with relatives in Idaho provided the family is not receiving payment from any other source.

Medicaid Payments are provided for Idaho children placed with foster parents and relatives in other states if the Department has legal custody of the children. The vendor must be certified by the Department of Health and Welfare to receive reimbursement for services.

Foster Care Payments. In general, Idaho rates are paid directly to the foster licensed caretaker unless an exception is required and prior approval is given by the Department of Health and Welfare.

Special Education Payments. Determination is the responsibility of the local school district.

Adoption Assistance Payments are benefits paid directly to the adoptive family on behalf of the adopted child. Benefits begin upon the finalization of the adoption unless an exception is given with prior approval by the Department of Health and Welfare, Division of Family and Community Services.

USEFUL TELEPHONE NUMBERS

Child Abuse. (208) 334-5700 - not a toll free number. Hours - 8:00 a.m. to 5:00 p.m. Mountain Standard Time.

Juvenile Compact. (208) 334-5100, Ext. 122. 8:30 a.m. - 5:00 p.m. Daily.

Mental Health Compact. (208) 334-5528. 8:00 a.m. - 5:00 p.m. Daily